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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/893,763	PODAR ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Andrew C. Lee	2616	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/30/2007.
2. ☒ The allowed claim(s) is/are 1,10,11,17; 19,28,29,35; 37; 38,39,40,41; 42,43,44,45 renumbered 1 - 17, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

**DETAILED ACTION**

***Allowable Subject Matter***

1. Claims 1, 10, 11, 17, 19, 28, 29, 35, 37 – 45 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art of record, in single or in combination, does not disclose explicitly the limitation of

wherein the threshold is equal to a maximum aggregate multicast bandwidth output of the access router minus a bandwidth output required to deliver the multicast traffic flow to the user device as disclosed in claim 1;

wherein the threshold is equal to a maximum aggregate multicast bandwidth output of the access router minus a bandwidth output required to deliver the multicast traffic flow to the user device as disclosed in claim 19;

a join request manager within an access router, the access router comprising a central processing unit (CPU) and a memory unit and operable to replicate multicast traffic flows for communication to one or more user devices within user systems coupled to the access router using a link, the join request manager operable to: receive an Internet group management protocol (IGMP) join request, the request being received from one of the user devices within one of the user systems and communicated using one or more packets; and drop the one or more packets if: utilization of the CPU is above a first threshold, the utilization of the CPU being measured in terms of a percentage of a maximum processing

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capacity of the CPU, the utilization of the CPU above the first threshold impairing operation of the access router; usage of the memory unit is above a second threshold, the usage of the memory unit being measured in terms of a percentage of a maximum storage capacity of the memory unit, the utilization of the CPU above the second threshold impairing operation of the access router; an aggregate multicast bandwidth output of the access router is above a third threshold equal to a maximum aggregate multicast bandwidth output of the access router minus a bandwidth output required to deliver the multicast traffic flow to the user device, the maximum aggregate multicast bandwidth output of the access router being equal to a maximum aggregate bandwidth output minus an aggregate bandwidth output reserved for unicast traffic; or an aggregate multicast bandwidth over the link is above a fourth threshold equal to a maximum aggregate multicast bandwidth over the link minus a bandwidth required to deliver the multicast traffic flow to the user device, the maximum aggregate multicast bandwidth over the link being equal to a maximum aggregate bandwidth minus an aggregate bandwidth output reserved for unicast traffic as disclosed in claim 37;

wherein the threshold is equal to a maximum aggregate multicast bandwidth over the link minus a bandwidth required to deliver the multicast traffic flow to the user device as disclosed in claim 38;

wherein the threshold is equal to a maximum aggregate multicast bandwidth over the link minus a bandwidth required to deliver the multicast traffic flow to the user device as disclosed in claim 42.

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2. Additionally, all of the further imitations in claims 10, 11, 17, 28, 29, 35, 39, 40, 41, 43, 44, 45 are allowable since the claims are dependent upon the independent claims.
3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C. Lee whose telephone number is (571) 272-3131. The examiner can normally be reached on Monday through Friday from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



WING CHAN  
SUPERVISORY PATENT EXAMINER

/ACL/

3/02/2007